

Appendix L

Adjacent Riparian Owners



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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

September 5, 2002

Dear Wetland Consultant:

This letter is to inform you of an increasing problem with inaccurate permit applications for projects affecting the land/water interface received from wetland consultants. In particular, we are noting problems with Item Number 8, Public Notification, and would like to draw your attention to this problem and the possible repercussions.

An increasing number of permit applications fail to identify all required property owners. We would like to remind you that Item Number 8 requires that all adjacent and impacted property owners and the contact for any related lake association or Lake Board be identified. Adjacent property owners include those whose property touches or is across the street (including diagonally) from the property where the project is proposed. An impacted property owner is one whose property value, structures, or natural resources could be affected by the proposed project. Staff of the Land and Water Management Division (LWMD) have no way of determining whether all appropriate people are identified. Therefore, LWMD staff will take action on a permit application based on the information provided by the applicant in Item Number 8.

The action resulting from a discovery that information is missing is dependent on when the discovery occurs. If the discovery is made prior to the permit decision, the application is considered to be incomplete and a new or extended public notice period may be required. If there is a discovery of missing information after the permit decision is made, the application is considered to be untrue and inaccurate because the permit decision would have been made on deficient project-related information. An untrue application is grounds for revocation of a permit, as stated and agreed upon by the applicant's signature in Item Number 9 of the permit application.

Provision of accurate and true information on permit applications is critical for appropriate permitting decisions. Please be advised that the LWMD intends to take all appropriate action, including revoking permits, when it is determined that any information on the permit application is untrue.

If you have any questions about this issue, please contact Ms. Kim Fish, Field Coordinator, at 517-335-3190.

Sincerely,

Richard A. Powers, Chief
Land and Water Management Division
517-373-1170

cc: Ms. Kim Rice, DEQ